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APPLICATION GRANTED

SO ORDERED

VERNON S. BRODERICK

U.S.D.J. 08/17/22

August 16, 2022

VIA ECF

Hon. Vernon S. Broderick
United States District Court
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 415
New York, New York 10007

The parties are directed, on or before August 22, 2022, to submit a revised Case Management Plan and Scheduling Order reflecting the new discovery deadlines.

Re: *Spectrum Dynamics Medical Limited v. General Electric Company, et al.*,
Case No.: 18-cv-11386 (VSB)

Dear Judge Broderick:

We write jointly with counsel for Plaintiff pursuant to Your Honor's Order dated November 5, 2020. (Doc. 129 at 2.) In that Order, the Court scheduled a "post-discovery conference" for August 31, 2022 and directed the parties to submit a joint letter two weeks prior to that date describing, *inter alia*, the status of the case and whether either party intends to file a dispositive motion. (*Id.*) Given the current status of the case, including that discovery is ongoing and the close of discovery has been extended to July 5, 2023 (*see* Doc. 510), the parties respectfully request that the Court adjourn the presently scheduled post-discovery conference until a date after the close of all discovery.

At the time the Court entered the Order, discovery was scheduled to close on August 12, 2022. (Doc. 129 at 2.) Since then, however, the close of discovery has been extended multiple times, most recently to July 5, 2023. (*See* Doc. 510.) Additionally, the following motions and matters remain pending:

- Defendants' Motion to Dismiss in Part Plaintiff's Counter-Counterclaims (Doc. 107, 108);
- Plaintiff's Motion for Preliminary Injunction (Doc. 355, 356); and
- Construction of the asserted claims of Defendant General Electric Company's U.S. Patent No. 9,295,439.

The parties anticipate that adjourning the August 31, 2022 conference to a date after the close of all discovery and after the foregoing motions and matters are resolved will better serve the Court's original and stated purpose for that conference.

We appreciate your continued attention to this matter.

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Respectfully,

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